

86/90/30
U.S. PTO

Case Docket No. FER-1

A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION TRANSMITTAL LETTER

ASSISTANT COMMISSIONER FOR PATENTS
Washington, D.C. 20231

Box: New Applications

Sir:

Transmitted herewith for filing is the patent application of

Inventor: Saldono Ferrone and Daniel J. Hicklin

For: ACTIVE IMMUNIZATION AGAINST ANGIOGENESIS-ASSOCIATED ANTIGENS

Enclosed are:

- Sheets of drawing.
 29 Specification including claims and abstract
 Preliminary Amendment
 An assignment of the invention to
 A certified copy of a _____ application.
 A declaration and power of attorney.
 An associate power of attorney.
 A verified statement to establish small entity status under 37 CFR 1.9 and 37 CFR 1.27.
 A verified statement to establish small entity status was filed in the parent application serial number _____ filed _____. Small entity status is still proper and its benefit under 37 CFR 1.28(a) is hereby claimed.
 A copy of the nucleotide and/or amino acid "Sequence Listing" in computer readable form in accordance with 37 CFR 1.824.
 A statement that the contents of the paper and computer readable copies of the "Sequence Listing" are the same, in accordance with 37 CFR 1.821 (f).
 A letter under 37 CFR 1.821(e) stating that the sequence information in this application is identical to that in a parent application and making reference to the computer readable form of the parent application.
 An Information Disclosure Statement including references and Form PTO-1449.

The filing fee has been calculated as shown below:

(Col. 1)	(Col. 2)	SMALL ENTITY			OTHER THAN A SMALL ENTITY	
FOR:	NO.FILED	NO.EXTRA	RATE	Fee	OR	Rate
BASIC FEE				\$395	OR	
TOTAL CLAIMS	56 -20	36	x \$11 =	\$396	OR	x \$22 =
INDEP.CLAIMS	3 -3	0	x \$41 =	\$	OR	x \$82 =
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIM PRESENTED			\$125	\$	OR	\$250
<input type="checkbox"/> Surcharge for late filing of basic filing fee and oath or declaration			\$65	\$	OR	\$130
			TOTAL	\$791	OR	TOTAL
						\$

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply.*

(a) Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 3 CFR 1.17(a)-(d)) in connection with prior pending application Serial No. , for the total number of months checked below:

<u>Extension (months)</u>	<u>Fee for other than small entity</u>	<u>Fee for small entity</u>
<input type="checkbox"/> one month	\$110.00	\$55.00
<input type="checkbox"/> two months	\$370.00	\$185.00
<input type="checkbox"/> three months	\$870.00	\$435.00
<input type="checkbox"/> four months	\$1,360.00	\$680.00

If an additional extension of time is required please consider this a petition therefor.

(check and complete the next item, if applicable)

(b) An extension for _____ months has already been secured and the fee paid therefor of \$_____ is deducted from the total fee due for the total months of extension now requested.

(c) Extension fee due with this request (a-b) \$

OR

(d) Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

*Extension of Time in Patent Cases (Supplement Amendments) if a timely and complete response has been filed after a Non-Final Office Action, an extension of time is not required to permit filing and/or entry of an additional amendment after expiration of the shortened statutory period.

If a timely response has been filed after a Final Office Action, an extension of time is required to permit filing and/or entry of a Notice of Appeal or filing and/or entry of an additional amendment after expiration of the shortened statutory period unless the timely-filed response placed the application in condition for allowance. Of course, if a Notice of Appeal has been filed within the shortened statutory period, the period has ceased to run." Notice of December 10, 1985 (1061 O.G.35).

The total fee is:

Filing fee: \$ 791.00

Late fee \$ _____

Total fee \$ 791.00

If any additional extension and/or fee is required, charge Account No. 09-0071.

Abandon parent application _____ in favor of the presently filed application when the parent application satisfies the requirements of 37 CFR 1.78 (a) while the parent application is pending or after any petition for extension of time or to revive in the parent application is granted; and when the presently filed application is granted a filing date so as to make the presently filed application co-pending with the parent application.

Amend the specification by inserting before the first line: --This is a divisional application of co-pending application serial No. _____ filed _____ ---

Amend the specification by inserting before the first line: --This is a divisional of co-pending international application Serial No. _____ filed _____, which designated the United States.--

- The presently filed application claims the benefit of U.S. application(s) serial no. _____.
- The present application is a continuation or divisional application, and a copy of the declaration and power of attorney from co-pending parent application(s) serial no. is enclosed.
- The present application is a _____ of parent application serial number _____ filed _____ (). In accordance with 37 CFR 1.821(e), a Sequence Listing in computer readable form for parent application was submitted to the Patent and Trademark Office on _____. The Sequence Listing in the present application is identical with that in the parent application.
- Please charge Deposit Account No. _____ for the required total fee to Imclone's Deposit Account No. _____. A duplicate copy of this sheet is enclosed.
- A check in the amount of \$_____ to cover the total fee is enclosed.
- The Commissioner is hereby authorized to charge payment of the following fees associated with this communication, or credit any overpayment, to Deposit Account No. 09-0071. A duplicate copy of this sheet is enclosed.
- Any additional filing fees required under 37 CFR 1.16.
- Any patent application processing fees under 37 CFR 1.17.
- The Commissioner is hereby authorized to charge payment of the following fees during the pendency of this application, or credit any overpayment, to Deposit Account No. 09-0071. A duplicate copy of this sheet is enclosed.
- Any patent application processing fees under 37 CFR 1.17.

- The issue fee set in 37 CFR 1.18 at or before mailing of the Notice of Allowance, pursuant to 37 CFR 1.311(b).
- Any filing fees under 37 CFR 1.16 for presentation of extra claims.

Respectfully submitted,



Thomas C. Gallagher
Reg. No. 37,066

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180 Varick Street
New York, New York 10014
(212) 645-1405

Date: March 6, 1998

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Docket No.: FER-1

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09/036724
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Ferrone and Hicklin

Group Art Unit: Unassigned

Serial No: Unassigned

Examiner: Unassigned

Filed: Herewith

For: ACTIVE IMMUNIZATION AGAINST ANGIOGENESIS-ASSOCIATED ANTIGENS

Box: New Applications

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

**EXPRESS MAIL
CERTIFICATE OF MAILING
FOR ABOVE-IDENTIFIED APPLICATION**

"Express Mail" mailing label number: TB 340564455 US

Date of Deposit: March 6, 1998

I hereby certify that the documents enclosed herewith are deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Box New Applications, Washington, D.C. 20231.

Thomas C. Gallagher
Printed Name of person mailing paper

Bayer
Signature of person mailing paper